

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Title of Application: ELECTROMAGNETIC ACTIVATION OF GENE  
EXPRESSION AND CELL GROWTH

Application Ser. No.: 10/759,526

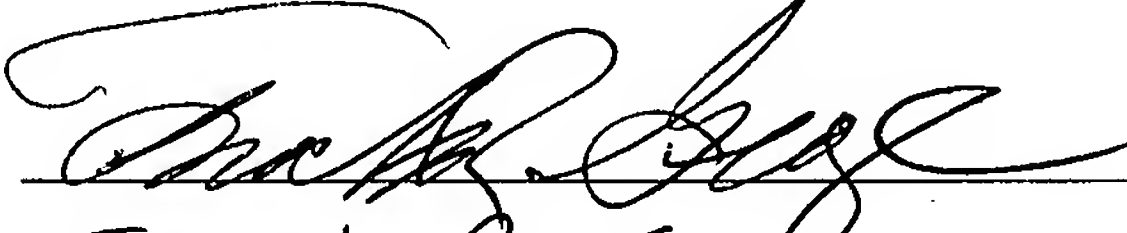
Filed: January 16, 2004

Inventor(s): George and Moffett

Attorney Client-Matter No.: 66672-019

**REGENSIS BIOMEDICAL**, a Corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: 3-15-04 Signature: 

Name: Frank R. George

Title: Chief Science and Technology Officer

## ASSIGNMENT

COPY

This Assignment is made by Frank R. George, of Scottsdale, Arizona and John Moffett, of Phoenix, Arizona, Assignors, to REGENESIS BIOMEDICAL, Assignee, having a place of business at 1435 North Hayden Road, Scottsdale, Arizona 85257-3773.

WHEREAS, Assignors have invented a new and useful ELECTROMAGNETIC ACTIVATION OF GENE EXPRESSION AND CELL GROWTH for which an application for United States Letters Patent was filed on January 16, 2004, in the United States Patent and Trademark Office, bearing United States Patent Application No. of 10/759,526 and identified as Attorney Client-Matter No: 66672-019;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to said application under Title 35, United States Code, Sections 120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request that any United States or foreign Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional, continuation or reissue application, be issued to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

Inventors: George and Moffett  
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IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: Frank R. George

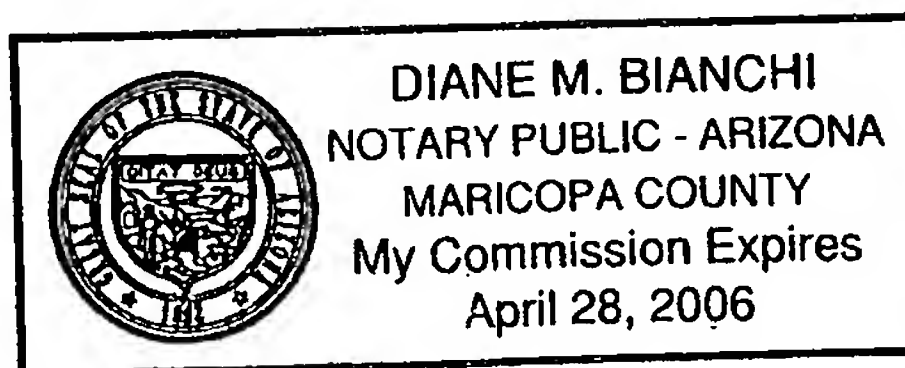
[Signature] 10-5-04  
Signature Date

STATE OF ARIZONA  
COUNTY OF MARICOPA

On 10/5/04, before me, Diane M. Bianchi personally appeared FRANK R. GEORGE, personally known to me - OR - He proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

[Signature]  
(Signature of Notary)



Inventors: George and Moffett  
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Assignor: John Moffett

John Moffett 10/11/04  
Signature Date

STATE OF AZ )  
COUNTY OF Maricopa

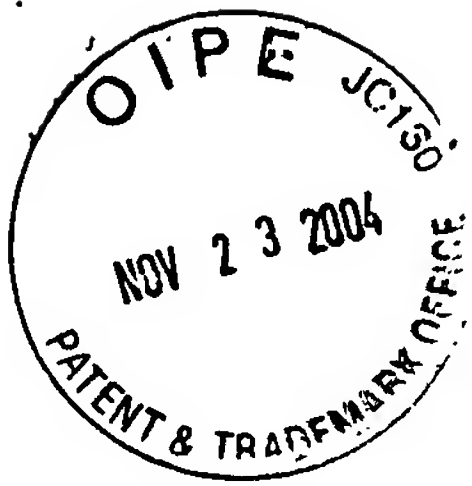
On 11<sup>th</sup> of Oct, before me, John Moffett personally appeared \_\_\_\_\_, ☒ personally known to me - OR - \_\_\_\_\_ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Dawn M Hanley-West  
(Signature of Notary)



Notary Public State of Arizona  
Maricopa County  
Dawn M Hanley-West  
Expires August 01, 2008



**POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE**

Assignee REGENESIS BIOMEDICAL is the owner of the entire right, title and interest of U.S. Patent Application Serial No. 10/759,526, filed on January 16, 2004, as attorney docket number 66672-019, and entitled ELECTROMAGNETIC ACTIVATION OF GENE EXPRESSION AND CELL GROWTH and any subsequently filed divisional, continuation, or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; ANDREA L. GASHLER, Registration No. 41,029; DEBORAH L. CADENA, Registration No. 44,048; ASTRID R. SPAIN, Registration No. 47,956; and PAMELA M. GUY, Registration No. 51,228.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL  
McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive, Suite 700  
San Diego, California 92122

The undersigned is authorized to sign on behalf of the Assignee.

Signature:

Name (typed):

Frank R. George

Title:

Chief Science & Technology Officer

Assignee:

Regenesis Biomedical

Date:

3-15-04